



General Assembly

January Session, 2007

Raised Bill No. 7209

LCO No. 4500

04500_____GL_

Referred to Committee on General Law

Introduced by:
(GL)

***AN ACT CONCERNING CONSUMER REPORTING AGENCIES AND
PUBLIC RECORD INFORMATION REPORTING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-51i of the general statutes is amended by
2 adding subsections (h) and (i) as follows (*Effective from passage*):

3 (NEW) (h) A consumer reporting agency, as defined in section 38a-
4 976, that furnishes a consumer report for employment purposes and
5 compiles and reports items of information on consumers which are
6 matters of public record and are likely to have an adverse effect on a
7 consumer's ability to obtain employment, shall:

8 (1) At the time such items of information are reported to the user of
9 such information, notify the consumer that the agency is reporting
10 public record information, together with the name and address of the
11 person to whom such information is being reported; and

12 (2) Maintain strict procedures designed to ensure that whenever
13 public record information that is likely to have an adverse effect on a
14 consumer's ability to obtain employment is reported it is complete and

15 up to date. For purposes of this section, items of public record relating
 16 to arrests, indictments, convictions, erased records, pardons and
 17 outstanding judgments shall be considered up to date if it includes the
 18 current public record status of each individual item reported.
 19 Consumer reporting agencies shall verify with the Judicial Department
 20 to ensure that information reported pursuant to this subsection is
 21 complete and up to date as of the time the consumer report is issued.

22 (NEW) (i) Subsection (a) of this section shall not apply in the case of
 23 an agency or department of the United States government seeking to
 24 obtain and use a consumer report for employment purposes if the
 25 head of the agency or department makes a written finding pursuant to
 26 15 USC 1681b(b)(4)(A).

27 Sec. 2. (NEW) (*Effective from passage*) The Judicial Department shall:
 28 (1) Update its criminal history record information not later than two
 29 business days after a criminal record is erased, modified or corrected
 30 or when a pardon is granted; (2) post a notice on any criminal record
 31 information disseminated by said department that the information
 32 contained in such notice may change daily due to erasures, corrections,
 33 pardons and other changes to individual records and that the accuracy
 34 of the data cannot be confirmed other than on the day of the posting;
 35 and (3) only post updated information on said department's web site
 36 that is available to the public through the State Police Bureau of
 37 Identification and not information available through the Offender
 38 Based Tracking System.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	31-51i
Sec. 2	<i>from passage</i>	New section

Statement of Purpose:

To reduce instances where consumer employment agencies furnish inaccurate reports that are used for employment purposes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]